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2013 LEGISLATIVE SUMMARY

Public Act No. 13-166: House Bill No. 5666, An Act Concerning Sexual Exploitation and Trafficking in Persons

- Adds funds and property related to prostitution to the types of property subject to forfeiture by the state; expands the crime of trafficking in persons; increases the penalty for prostitution when the actor knew the prostitute was a minor or victim of trafficking; allows a victim of trafficking to apply to the Superior Court to vacate a conviction for prostitution; requires the Chief Court Administrator to develop a notice about services for victims of human trafficking; requires the Office of Victim Services to access the compensation services to victims of human trafficking; and eliminates the requirement of the Chief Court Administrator to provide a bilingual notice of victims' rights and services.

Public Act No. 13-47: House Bill No. 6641, An Act Concerning The Sexual Assault of a Person Who Is Physically Helpless or Whose Ability to Consent is Otherwise Impaired

- Expands the definition of "physically helpless" to include someone who is physically unable to resist an act of sexual intercourse or sexual contact or to communicate unwillingness to an act of sexual intercourse or sexual contact.

Public Act No. 13-28: House Bill No. 6571, An Act Concerning The Recommendations of the Connecticut Sentencing Commission with Respect to Sexual Assault in the Fourth Degree and Kidnapping in the First Degree with a Firearm

- Changes the elements of sexual assault in the forth degree so that there is no longer a requirement of intentional contact; abolishes the one year mandatory minimum for the offense of kidnapping in the first degree with a firearm.

Public Act No. 13-73: Senate Bill No. 828, An Act Concerning Sexual Offender Registration Requirements for Certain Persons Granted Temporary Leave by the Psychiatric Security Review Board

- Requires any person found not guilty by mental disease or defect to register as a sex offender when granted temporary release by the Psychiatric Security Review Board if the crime for which they were acquitted requires sex offender registration.

Public Act No. 13-214: House Bill No. 6702, An Act Concerning Domestic Violence and Sexual Assault

- Revises the protocol for surrendering a firearm by a person who is subject to a restraining or protective order; permits a sexual assault victim to terminate a rental agreement without penalty under some circumstances; requires probation officers to provide notice of suspected probation

violations to assigned victims advocates; requires the family violence training program be available to guardians ad litem; requires the Chief Court Administrator to provide a secure room for victims of family violence crimes and advocates for victims of family violence crimes to meet, provided such room is available and practical; requires the Chief Court Administrator to develop a plan to include orders of financial support as part of any relief sought by the applicant of a restraining order; requires the Chief Court Administrator to conduct an assessment of any training programs for judges and Judicial Branch staff related to family violence; and establishes a task force to study the feasibility of permitting persons other than family or household members to apply for a restraining order.

Public Act No. 13-311: Senate Bill No. 1149, An Act Limiting the Disclosure of Certain Records of Law Enforcement Agencies and Establishing a Task Force Concerning Victim Privacy Under the Freedom of Information Act

- Adds the identity of minor witnesses to the list of records of law enforcement that are not available for disclosure under the Freedom of Information Act; creates an exception to the Freedom of Information Act to include any record consisting of a photograph, film, video or other visual image depicting the victim of homicide that could reasonably be expected to constitute an unwarranted invasion of privacy of the victim or the victims' surviving family members; allows any law enforcement agency to limit disclosure of an audio tape or other recording where the individual speaking on the recording describes the condition of a victim of homicide, except for a recording that consists of an emergency 911 call or other call for assistance made by a member of the public to law enforcement; and establishes a task force to consider and make recommendations regarding the balance between victim privacy under the Freedom of Information Act and the public's right to know.

Public Act No. 13-226: Senate Bill No. 709, An Act Concerning the Silver Alert System and Maintaining the Privacy of a Missing Person's Medical Information

- Requires the Department of Emergency Services and Public Protection to establish procedures to maintain the confidentiality of the medical information of any missing child or other missing person that is collected, discovered or otherwise obtained upon the reporting of a missing child or other missing person.

Public Act No. 13-24: House Bill No. 6007, An Act Concerning "Blue Alerts"

- Requires the Department of Emergency Services and Public Protection to establish an emergency alert system to assist law enforcement agencies in the apprehension of persons suspected of killing or seriously injuring police officers or in the location of missing peace officers.

Public Act No. 13-302: House Bill No. 6703, An Act Concerning Youth Violence and Gang Activity

- Creates the new criminal offense of Recruiting a member of a criminal gang. The offense is a class A misdemeanor; requires the Court Support Services Division, within the Judicial Branch, to conduct a pilot program in Bridgeport, Hartford and New Haven designed to reduce the number of children and youths who come into contact with the juvenile justice system and reduce recidivism among delinquent children and youth.

Public Act No. 13-268: Senate Bill No. 1163, An Act Concerning the Prevention of Urban Youth Delinquency and Violence

- Requires the Court Support Services Division of the Judicial Branch to collaborate with providers of community based services for children and families in the city of Hartford to inventory programs and services within the city designed to promote positive youth development and reduce the number of youth who come into contact with the juvenile justice system and to

design a process for identifying at risk youth for referral to such programs; and requires the Commissioner of Economic and Community Development to establish a Connecticut Young Adult Conservation Corps program for the purpose of employing youth and young adults.

Public Act No. 13-297: House Bill No. 6342, An Act Concerning Criminal Penalties for Failure to Report Child Abuse

- Makes it a form of risk of injury to a child for a person to intentionally and unreasonably interfere with or prevent a person who is required to report suspected child abuse and neglect (a mandated reporter) from carrying out this obligation; makes it a crime for mandated reporters to fail to report suspected child abuse or neglect to the Department of Children and Families.

Public Act No. 13-77: Senate Bill No. 763, An Act Concerning Notice of Investigations by the Department of Children and Families

- Requires that the Department of Children and Families provide notice, upon the opening of an investigation by the Department of an allegation of abuse or neglect, to the noncustodial parent, custodial parent, guardian of the child and parents if the Department has custody of the child, unless there are reasonable grounds to believe such notice may interfere with a criminal investigation or endanger a person.

Public Act No. 13-53: Senate Bill No. 821, An Act Concerning Responsibilities of Mandated Reporters of Child Abuse and Neglect

- Prohibits employers from attempting to prevent employees from reporting child abuse or neglect or testifying in hearings related to child abuse or neglect and subjects employers to the whistleblower penalties if they take adverse action against employees who report child abuse or neglect.

Public Act No. 13-52: Senate Bill No. 822, An Act Concerning Interviews of Children by the Department of Children and Families During Investigations of Child Abuse and Neglect

- Allows the Department of Children and Families to interview a child in a child protective investigation without the consent of the parent or guardian when seeking such consent would place the child at imminent risk of physical harm.

Public Act No. 13-221: Senate Bill No. 299, An Act Concerning Communication Among the State Police Departments During Active Shooting Incidents and Certain Other Incidents

- Allows for the chief of police, over the municipality where an event involving numerous victims or casualties, to notify the Commissioner of Emergency Services and Public Protection of the event. Upon receipt of the notification, the Commissioner shall notify all organized law enforcement in the state.

Public Act No. 13-188: Senate Bill No. 1099, An Act Concerning School Safety

- Establishes requirements for municipalities or boards of education to hire active or retired police officers to provide armed security in public schools.

Public Act No. 13-159: House Bill No. 6699, An Act Concerning Pretrial Diversionary Programs

- Makes several changes to criminal court diversionary programs including expanding program eligibility, increasing certain fees, changing treatment options and altering community service requirements.

Public Act No. 13-94: Senate Bill No. 825, An Act Concerning Professional Bondsmen, Surety Bail Bond Agents and Bail Enforcement Agents

- Requires an applicant to become a professional bondsman or bail enforcement agent to submit proof that such person is 21 years of age and has received a high school diploma or equivalent; allows the Commissioner of Emergency Services and Public Protection to suspend or revoke the license of any professional bondsman or bail enforcement agent if such licensee is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person; prohibits a licensed bail enforcement agent from wearing, carrying or displaying a badge that indicates that he or she is a bail enforcement agent unless the Commissioner of Emergency Services and Public Protection has approved such badge; requires annual firearms refresher training for professional bondsmen, surety bail bond agents and bail enforcement agents issued the Department of Emergency Services and Public Protection special firearms permit to carry firearms on the job; and requires the Commissioner of the Department of Emergency Services and Public Protection to approve an instructor for a course in the criminal justice course for becoming a bail enforcement agent or a course in the safety and use of firearms for a special firearms license for professional bondsman, surety bail bond agents or bail enforcement agents.

Public Act No. 13-258: Senate Bill No. 983, An Act Concerning the Recommendations of the Connecticut Sentencing Commission Regarding Unclassified Felonies

- Establishes a class E felony for which a person convicted of a class E felony may be sentenced to a term of imprisonment of up to three years and a fine not to exceed three thousand five hundred dollars; and eliminates the minimum term of imprisonment in class D felonies, which is not mandatory and can be suspended, while maintaining a sentence of up to five years in prison as a penalty.